REMARKS

I. General

Claims 1-16 are pending in the present application. Applicant notes with appreciation that claims 8, 13, and 14 are indicated by this Office Action as containing allowable subject matter. Claims 1-7 and 9-12 stand rejected under 35 U.S.C. § 103(a). Claims 1-12 stand rejected under the judicially created doctrine of double patenting. Claims 1, 9, 13 and 14 are amended, and claims 15 and 16 are new. Applicant respectfully traverses the rejections of record.

II. Amendments

Claim 1 is amended. Support for this amendment may be found, at least, at page 12, lines 1-14 and page 45, lines 17-25. Accordingly, no new matter is added by this amendment.

Claim 9 is amended. Support for this amendment may be found, at least, at page 12, line 1-14 and page 45, lines 17-25. Accordingly, no new matter is added by this amendment.

Claims 13 and 14 are amended to be independent claims, including all of the limitations of their respective base claims 1 and 9. Because support for the amendments may be found in original claims 1 and 9, no new matter is added by these amendments.

III. New Claims

Claims 15 and 16 are new. Support for each may be found at page 12, lines 1-14, page 44, lines 10-15, and page 45, lines 17-25. Applicant submits that claims 15 and 16 are allowable not only because of their dependence from claims 1 and 9, respectively, but also because of their novel features that they add to the subject matter of the respective independent claims.

IV. Objections to the Claims

Claims 13 and 14 are objected to as being dependent upon rejected base claims, but are indicated as otherwise allowable. Applicant thanks the Examiner for the indication of

allowable subject matter, and has accordingly amended claims 13 and 14 to be independent claims, including the limitations from their respective base claims 1 and 9.

V.   **Double Patenting Rejection**

Claims 1-12 stand rejected under the judicially created doctrine of double patenting over claims 1-47 of United States patent number 6,233,568. As with the last response to Office Action, Applicant again proposes filing a terminal disclaimer in compliance with 37 C.F.R. 1.321(b) if the Examiner's rejections still stand upon indication that the claims of the present application are otherwise allowable. Applicant notes that amendments to the claims of this present application may result in the withdrawal of this rejection. Applicant respectfully requests that the Examiner reconsider this rejection in view of the amendments made to the claims of the present application and the arguments presented herein.

VI.   **Rejections Under 35 U.S.C. §103**

Claims 1-7 and 9-12 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over either United States patent number 4,495,581 (hereinafter, *Piccione*), or United States patent number 5,117,346 (hereinafter, *Barns-Slavin*), or European patent publication number 0805422 (hereinafter, *Thiel EP*), or United States patent number 5,699,258 (hereinafter, *Thiel US1*), or United States patent number 6,035,291 (hereinafter, *Thiel US2*), or United States patent number 6,321,214 (hereinafter *Thiel US3*), in view of United States patent number 6,039,257 (hereinafter, *Berson*) and evidenced by Unites States patent number 5,510,992 (hereinafter, *Kara*). Applicant respectfully traverses the 35 U.S.C. § 103(a) rejection of record.

A.   **Improper Use of Kara**

Applicant respectfully asserts that *Kara* may not be used as a prior art reference in the 35 U.S.C. §103(a) rejections of the present claims. Because the present application has the benefit of the filing date of the '716 application, *Kara* is not prior art under 35 U.S.C. §102(e), and may, therefore, not be applied as prior art in the current 35 U.S.C. §103(a) rejection of record. Further, it is believed that 35 U.S.C. §103(c) would prevent the use of this commonly owned patent as prior art.

B.   Claims 1-7 and 9-12

To establish a prima facie case of obviousness under 35 U.S.C. § 103(a), three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to combine the applied references. Second, there must be a reasonable expectation of success. Finally, the applied references must teach or suggest all the claim limitations. *See* M.P.E.P. § 2143. Without conceding any other criteria, Applicant respectfully asserts that the rejection does not satisfy the first and third criteria, as discussed further below.

1.   Failure to teach or suggest all claimed limitations

Claim 1 recites, in part:

"A method operable on a general multi-purpose processor-based system..." and

"...presenting each of said determined values, services, and differences between the services and the desired parameters to a user for comparison ..."

On pages 3 and 4, the Examiner rejects claim 1 over the alternative combinations of *Piccione,* or *Barns-Slavin,* or *Thiel EP,* or *Thiel US1,* or *Thiel US2,* or *Thiel US3,* in view of *Berson,* as evidenced by *Kara.* Not one of these combinations teaches or suggests each and every aspect of claim 1, as discussed below. Accordingly, the U.S.C. § 103(a) rejection of claim 1 should be withdrawn and claim 1 allowed.

The proposed combination of *Piccione, Berson,* and *Kara* does not teach or suggest every aspect of claim 1. Specifically, the proposed combination does not show, at least, a "method operable on a general multi-purpose processor-based system." *Piccione* teaches a user programmable postal rate calculator, but mentions nowhere in the disclosure a method operable on a general multi-purpose processor-based system. See especially Fig. 1, which shows the specialized *Piccione* calculator with buttons and controls specific to the *Piccione* functions. Accordingly, *Piccione* does not teach or suggest the above feature of claim 1. Moreover, *Piccione* does not teach or suggest, "presenting each of said determined values, services, and differences between the services and the desired parameters to a user for comparison," as required by claim 1. The Examiner does not rely on *Berson* or *Kara* to teach

either of those features. Thus, the proffered combination does not teach or suggest each and every feature of claim 1.

Further, on page 5 of the Office Action, the Examiner states that a "general multi-purpose processor-based system" is non-functional descriptive material in this claim, and therefore, cannot render the claim nonobvious in and of itself. Applicants respectfully submit that such aspect is not non-functional descriptive material. See M.P.E.P. § 2106 (III)(A)(1)(a) and (b), which describe the concepts of functional and non-functional descriptive material. The "descriptive material" referred to in M.P.E.P. § 2106 is written material, such as text or computer code, that is included as a limitation in a claim, either by itself or recorded on a medium. The classic example of non-functional descriptive material is a particular song recorded on a compact disc. Since the song is functionally the same as any other song, as applied to the disc, the particular song recorded cannot lend novelty or nonobviousness to a claim for the song recorded on a compact disc. Notice that the analysis of M.P.E.P. § 2106, as it refers to "non-functional descriptive material," focuses not on the recording medium itself, or on the computer itself, but focuses on the information saved or processed. Accordingly, to say that the feature, "on a general multi-purpose processor-based system" is non-functional descriptive material is incorrect, as the analysis must focus on data stored or processed, not on the storage medium or computer system used. Therefore, the above-recited feature of claim 1 is not non-functional descriptive material and does add novelty and nonobviousness to claim 1.

Still further, on page 7 of the Office Action, the Examiner states that one of ordinary skill in the art would recognize the invention of claim 1 as being a dedicated shipping system. Therefore, the rebuttal implies, the claimed invention is not different from those specialized disclosed shipping systems in some of the cited references. The rebuttal is in error, as the claim does not limit itself to systems adapted for shipping uses only. Accordingly, a general-purpose processor-based system on which the method of claim 1 is operable may perform the claimed steps, and may also perform other functions too. Of particular relevance to Applicant's position is the fact that the limitations of claim 13, originally dependent from claim 1, expressly recite a general purpose computer program, such as word processor, database, spreadsheet, or accounting system, operable upon the general multi-purpose processor based system. Compare that to the specialized system of, for example, *Piccione*, which may not perform other functions, at least because it has only buttons for selecting

specific functions. To say that the general multi-purpose processor-based system of claim 1 is the same as the specialized systems of, for example, *Piccione*, is to ignore the claimed feature completely. The Examiner may not ignore the claimed features, but must show that each and every claimed limitation is taught or suggested by the references. See M.P.E.P. §2143.

Further, it is worthy of note that the invention described in claim 1 is not obvious over such specialized shipping systems as the one in *Piccione*. Employing a metering system in a general multi-purpose processor-based system presents challenges, especially in the area of security. Applicant invites the Examiner to read such passages in the present specification as page 38, line 24 through page 35, line 5, page 51, line 21 through page 52, line 7, and page 53, lines 5-22, all of which discuss various security features which operate to make a metering system on a general multi-purpose processor-based system feasible. In light of the arguments above, Applicant respectfully asserts that the proposed combination of *Piccione*, *Berson*, and *Kara* does not teach or suggest every aspect of claim 1.

The proposed combination of *Barns-Slavin*, *Berson*, and *Kara* does not teach or suggest each and every aspect of claim 1. Specifically, the proposed combination does not teach or suggest, at least, a "method operable on a general multi-purpose processor-based system." The device of *Barns-Slavin* teaches employing a specialized computer, not a general multi-purpose processor-based system. See especially Fig. 2, which shows the specialized *Barns-Slavin* device. Accordingly, *Barns-Slavin* does not teach or suggest the above feature of claim 1. Further, as mentioned above, this feature adds novelty and nonobviousness to claim 1 and is not non-functional descriptive material. Moreover, *Barns-Slavin* does not teach or suggest, "presenting each of said determined values, services, and differences between the services and the desired parameters to a user for comparison," as required by claim 1. The Examiner does not rely on *Berson* or *Kara* to teach or suggest either of those features. Thus, the proposed combination does not teach or suggest every feature of claim 1.

The proposed combination of *Thiel EP*, *Berson*, and *Kara* does not teach or suggest each and every aspect of claim 1. *Thiel EP* does not teach or suggest, at least, "presenting each of said determined values, services, and differences between the services and the desired parameters to a user for comparison," as amended claim 1 recites. *Thiel EP* teaches an

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automatic carrier selection such that services and differences between the services and the desired parameters are never presented for comparison. See Col. 17, lines 15-45 of *Thiel US3*, (*Thiel EP*, *Thiel US2* and *Thiel US3* disclose the same device) which discloses the automatic calculation method of the Thiel device. In that method, a user enters a desired service, and the computer automatically selects the lowest cost carrier who provides that service. Thus, a service is simply entered by a user, and the computer takes carriers off of the list if those carriers do not offer the service. This is not the same as "presenting each of said determined values, services, and differences between the services and the desired parameters to a user for comparison," as amended claim 1 recites, at least because determined services and differences between the services and desired parameters are not presented to a user for comparison. Accordingly, *Thiel EP* does not teach or suggest the above feature of amended claim 1. The Examiner does not rely on *Berson* or *Kara* to teach or suggest that feature. Thus, the proposed combination does not teach or suggest every feature of claim 1.

The proposed combination of *Thiel US1*, *Berson*, and *Kara* does not teach each and every aspect of claim 1. Specifically, the proposed combination does not teach or suggest, at least, a "method operable on a general multi-purpose processor-based system." See Col. 5, line 62 through Col. 6, line 12, which describes an assembly of the device disclosed in *Thiel US1*. That passage mentions nothing of a general multi-purpose processor-based system; nor does any other passage from the reference mention a general multi-purpose processor-based system. Further, as mentioned above, this feature adds novelty and nonobviousness to claim 1 and is not non-functional descriptive material. Moreover, *Thiel US1* does not teach or suggest "presenting each of said determined values, services, and differences between the services and the desired parameters to a user for comparison," as amended claim 1 recites Accordingly, *Thiel US1* does not teach or suggest the above features of claim 1. The Examiner does not rely on *Berson* or *Kara* to teach or suggest those features. Thus, the proposed combination does not teach or suggest every feature of claim 1.

The proposed combination of *Thiel US2*, *Berson*, and *Kara* does not teach each and every aspect of claim 1. As noted above, *Thiel EP*, *Thiel US2* and *Thiel US3* disclose the same device. Accordingly, the Applicant reiterates the argument made above with regard to the *Thiel EP* combination to assert that the proposed combination of *Thiel US2*, *Berson*, and *Kara* does not teach or suggest every aspect of claim 1.

Similar to the proposed combinations of *Thiel EP* and *Thiel US2* with *Berson*, the proposed combination of *Thiel US3*, *Berson*, and *Kara* does not teach each and every aspect of claim 1. As noted above, *Thiel EP*, *Thiel US2* and *Thiel US3* disclose the same device. Accordingly, the Applicant reiterates the argument made above with regard to the *Thiel EP* combination to assert that the proposed combination of *Thiel US3*, *Berson*, and *Kara* does not teach or suggest every aspect of claim 1.

Because each of the proposed alternative combinations fails to teach or suggest at least one of the elements of claim 1, Applicant respectfully submits that the U.S.C. § 103(a) rejection of claim 1 is improper. Accordingly, the rejection should be withdrawn and claim 1 passed to issue.

Claim 9 recites, in part:

"A general multi-purpose processor-based system..." and "...means for presenting each of said determined values, services, and differences between the services and the desired parameters to a user for comparison..."

On pages 3 and 4, the Examiner rejects claim 9 over the alternative combinations of *Piccione*, or *Barns-Slavin*, or *Thiel EP*, or *Thiel US1*, or *Thiel US2*, or *Thiel US3*, in view of *Berson*, as evidenced by *Kara*. Not one of these combinations teaches or suggests each and every aspect of claim 9, as discussed below. Accordingly, the U.S.C. § 103(a) rejection of claim 9 should be withdrawn and claim 9 allowed.

The proposed combination of *Piccione*, *Berson*, and *Kara* does not teach or suggest every aspect of claim 9. Specifically, the proposed combination does not show, at least, a "method operable on a general multi-purpose processor-based system." *Piccione* teaches a user programmable postal rate calculator, but mentions nowhere in the disclosure a method operable on a general multi-purpose processor-based system. See especially Fig. 1, which shows the specialized *Piccione* calculator with buttons and controls specific to the *Piccione* functions. Moreover, *Piccione* does not teach or suggest, "means for presenting each of said determined values, services, and differences between the services and the desired parameters to a user for comparison," as required by claim 9. Accordingly, *Piccione* does not teach or suggest the above features of claim 9. The Examiner does not rely on *Berson* or *Kara* to

teach or suggest those features. Thus, the proposed combination does not teach or suggest each and every feature of claim 9.

Further, on page 5 of the Office Action, the Examiner states that a "general multi-purpose processor-based system" is non-functional descriptive material in this claim, and therefore, cannot render the claim nonobvious in and of itself. Applicants respectfully submit that such aspect is not non-functional descriptive material. See M.P.E.P. § 2106 (III)(A)(1)(a) and (b), which describe the concepts of functional and non-functional descriptive material. The "descriptive material" referred to in M.P.E.P. § 2106 is written material, such as text or computer code, that is included as a limitation in a claim, either by itself or recorded on a medium. The classic example of non-functional descriptive material is a particular song recorded on a compact disc. Since the song is functionally the same as any other song, as applied to the disc, the particular song recorded cannot lend novelty or nonobviousness to a claim for the song recorded on a compact disc. Notice that the analysis of M.P.E.P. § 2106, as it refers to "non-functional descriptive material," focuses not on the recording medium itself, or on the computer itself, but focuses on the information saved or processed. Accordingly, to say that the feature, "on a general multi-purpose processor-based system" is non-functional descriptive material is incorrect, as the analysis must focus on data stored or processed, not on the storage medium or computer system used. Therefore, the above-recited feature of claim 9 is not non-functional descriptive material and does add novelty and nonobviousness to claim 9.

Still further, on page 7 of the Office Action, the Examiner states that one of ordinary skill in the art would recognize the invention of claim 1 as being a dedicated shipping system. Therefore, the rebuttal implies, the claimed invention is not different from those specialized disclosed shipping systems in some of the cited references. The rebuttal is in error, as the claim does not limit itself to systems adapted for shipping uses only. Accordingly, a general-purpose processor-based system on which the method of claim 9 is operable may perform the claimed steps, and may also perform other functions too. Of particular relevance to Applicant's position is the fact that the limitations of claim 14, originally dependent from claim 9, expressly recite a general purpose computer program, such as word processor, database, spreadsheet, or accounting system, operable upon the general multi-purpose processor based system. Compare that to the specialized system of, for example, *Piccione*, which may not perform other functions, at least because it has only buttons for selecting

specific functions. To say that the general multi-purpose processor-based system of claim 9 is the same as the specialized systems of, for example, *Piccione*, is to ignore the claimed feature completely. The Examiner may not ignore the claimed features, but must show that each and every claimed limitation is taught or suggested by the references. See M.P.E.P. §2143.

Further, it is worthy of note that the invention described in claim 9 is not obvious over such specialized shipping systems as the one in *Piccione*. Employing a metering system in a general multi-purpose processor-based system presents challenges, especially in the area of security. Applicant invites the Examiner to read such passages in the present specification as page 38, line 24 through page 35, line 5, page 51, line 21 through page 52, line 7, and page 53, lines 5-22, all of which discuss various security features which operate to make a metering system on a general multi-purpose processor-based system feasible. In light of the arguments above, Applicant respectfully asserts that the proposed combination of *Piccione*, *Berson*, and *Kara* does not teach or suggest every aspect of claim 9.

The proposed combination of *Barns-Slavin*, *Berson*, and *Kara* does not teach or suggest each and every aspect of claim 9. Specifically, the proposed combination does not teach or suggest, at least, "a general multi-purpose processor-based system," as claim 9 recites. The device of *Barns-Slavin* teaches employing a specialized computer, not a general multi-purpose processor-based system. See especially Fig. 2, which shows the specialized *Barns-Slavin* device. Accordingly, *Barns-Slavin* does not teach or suggest the above feature of claim 9. Further, as mentioned above, this feature adds novelty and nonobviousness to claim 9 and is not non-functional descriptive material. Moreover, *Barns-Slavin* does not teach or suggest, "means for presenting each of said determined values, services, and differences between the services and the desired parameters to a user for comparison," as required by claim 9. The Examiner does not rely on *Berson* or *Kara* to teach or suggest either of those features. Thus, the proposed combination does not teach or suggest every feature of claim 9.

The proposed combination of *Thiel EP*, *Berson*, and *Kara* does not teach or suggest each and every aspect of claim 9. *Thiel EP* does not teach or suggest, at least, "means for presenting each of said determined values, services, and differences between the services and the desired parameters to a user for comparison," as claim 9 recites. *Thiel EP* teaches an

automatic carrier selection such that services are never presented for comparison. See Col. 17, lines 15-45 of *Thiel US3*, (*Thiel EP*, *Thiel US2* and *Thiel US3* disclose the same device) which discloses the automatic calculation method of the Thiel device. In that method, a user enters a desired service, and the computer automatically selects the lowest cost carrier who provides that service. Thus, a service is simply entered by a user, and the computer takes carriers off of the list if those carriers do not offer the service. This is not the same as "means for presenting each of said determined values, services, and differences between the services and the desired parameters to a user for comparison," as amended claim 9 recites, at least because determined services and differences between the services and the desired parameters are not presented to a user for comparison. Accordingly, *Thiel EP* does not teach or suggest the above feature of amended claim 9. The Examiner does not rely on *Berson* or *Kara* to teach or suggest such feature. Thus, the proposed combination does not teach or suggest every feature of claim 9.

The proposed combination of *Thiel US1*, *Berson*, and *Kara* does not teach each and every aspect of claim 9. Specifically, the proposed combination does not teach or suggest, at least, "a general multi-purpose processor-based system," as claim 9 recites. See Col. 5, line 62 through Col. 6, line 12, which describes an assembly of the device disclosed in *Thiel US1*. That passage mentions nothing of a general multi-purpose processor-based system; nor does any other passage from the reference mention a general multi-purpose processor-based system. Further, as mentioned above, this feature adds novelty and nonobviousness to claim 9 and is not non-functional descriptive material. Moreover, *Thiel US1* does not teach or suggest "means for presenting each of said determined values, services, and differences between the services and the desired parameters to a user for comparison," as claim 9 recites. Accordingly, *Thiel US1* does not teach or suggest the above features of claim 9. The Examiner does not rely on *Berson* or *Kara* to teach or suggest those features. Thus, the proposed combination does not teach or suggest every aspect of claim 9.

The proposed combination of *Thiel US2*, *Berson*, and *Kara* does not teach each and every aspect of claim 9. Because *Thiel EP*, *Thiel US2* and *Thiel US3* disclose the same device, Applicant reasserts the argument made above with regard to the combination which includes *Thiel EP*. Thus, Applicant submits that the proposed combination of *Thiel US2*, *Berson*, and *Kara* does not teach or suggest every aspect of claim 9.

Similar to the proposed combinations of *Thiel EP* and *Thiel US2* with *Berson*, the proposed combination of *Thiel US3*, *Berson*, and *Kara* does not teach or suggest each and every aspect of claim 9. Because *Thiel EP*, *Thiel US2* and *Thiel US3* disclose the same device, Applicant reasserts the argument made above with regard to the combination which includes *Thiel EP*. Thus, Applicant submits that the proposed combination of *Thiel US3*, *Berson*, and *Kara* does not teach or suggest every aspect of claim 9.

Because each of the proposed alternative combinations fails to teach or suggest at least one of the elements of claim 9, Applicant respectfully submits that the U.S.C. § 103(a) rejection of claim 9 is improper. Accordingly, the rejection should be withdrawn and claim 9 passed to issue.

As discussed above, not one of the six alternative combinations cited against claims 1-7 and 9-12 teach or suggest every aspect of independent claims 1 and 9. In rejecting dependent claims 2-7 and 10-12 under 35 U.S.C. § 103(a), the Examiner does not rely on any other cited art to teach or suggest the features that are missing from each of the alternative rejections as applied to independent claims 1 and 9. Dependent claims 2-7 and 10-12 each depend either directly or indirectly from respective base claims 1 or 9, and thus inherit all of the limitations of their respective base claims. Thus, not one of the six alternative combinations teaches or suggests all claim limitations of claims 2-7 and 10-12. It is respectfully submitted that dependent claims 2-7 and 10-12 are allowable, at least, because of their dependence from claims 1 and 9 for the reasons discussed above. Accordingly, Applicants respectfully request that the 35 U.S.C. § 103(a) rejection of claims 1-7 and 9-12 be withdrawn and those claims passed to issue.

2. Lack of Motivation to Combine

On page 4, with regard to claims 2, 7, 11, and 12, the Office Action states that it is well known to use a secure accounting unit and that the cited references teach employing a general purpose processor-based system to account for dispensed shipping. The Office Action then states that it would have been obvious to modify the cited references such that the systems allegedly disclosed by each "would contain a secure accounting unit/memory connected to a processing unit." The argument, however, fails to suggest the desirability for such a combination. It is well settled that the fact that references can be combined or

modified is not sufficient to establish a *prima facie* case of obviousness, M.P.E.P. § 2143.01. The language is circular in nature, stating that it is obvious to make the modification (using a secure accounting unit) because it is obvious to achieve the result (connecting to a processing unit a secure accounting unit/memory). Such language is merely a statement that the references can be combined, and does not state any desirability for making the combination. The mere fact that references can be combined or modified does not render the resultant combination obvious unless the prior art also suggests the desirability of the combinations, M.P.E.P. § 2143.01 citing *In re Mills*, 16 U.S.P.Q.2d 1430 (Fed. Cir. 1990). Thus, the failure to provide motivation suggesting desirability of the modifications is improper. Accordingly, Applicant respectfully submits that the 35 U.S.C. § 103(a) rejection of claims 2, 7, 11, and 12 fails.

C.   Claims 5 and 6

Even though claims 5 and 6 are rejected above as being unpatentable over either *Piccione*, or *Barns-Slavin*, or *Thiel E*, or *Thiel US1*, or *Thiel US*, or *Thiel US3*, in view of *Berson* and evidenced by *Kara*, claims 5 and 6 are rejected again in the same Office Action under 35 U.S.C. §103(a) as being unpatentable over either *Piccione*, or *Barns-Slavin*, or *Thiel EP*, or *Thiel US1*, or *Thiel US2*, or *Thiel US3*, in view of *Berson* and evidenced by *Kara* in further view of either U.S. patent no. 4,914,606 (hereinafter, *Vermesse*) or U.S. patent no. 5,233,532 (hereinafter, *Ramsden*).

As discussed above, not one of the six alternative combinations cited against claim 1 teach or suggest every aspect of independent claim 1. In rejecting dependent claims 5 and 6 under 35 U.S.C. § 103(a), the Examiner does not rely on either *Vermesse* or *Ramsden* to teach or suggest the features that are missing from each of the alternative rejections as applied to independent claim 1. Neither *Vermesse* or *Ramsden* teach the missing features. *Vermesse* teaches a franking machine with auxiliary meters, but does not mention or suggest "a method operable on a general multi-purpose processor-based system" or "presenting each of said determined values, services, and differences between the services and the desired parameters to a user for comparison," as claim 1 recites. *Ramsden* teaches a system for mailing and collecting items, but never mentions or suggests "a method operable on a general multi-purpose processor-based system" or "presenting each of said determined values, services, and differences between the services and the desired parameters to a user for comparison," as

claim 1 recites. Thus, neither *Vermesse* nor *Ramsden* teach or suggest every claimed limitation of claim 1. Dependent claims 5 and 6 each depend directly from base claim 1, and thus inherit all of the limitations of base claim 1. Thus, not one of the six alternative combinations as modified by *Vermesse* or *Ramsden* teaches or suggests all claim limitations of claims 5 and 6. It is respectfully submitted that dependent claims 5 and 6 are allowable, at least, because of their dependence from claim 1 for the reasons discussed above. Accordingly, Applicants respectfully request that the 35 U.S.C. § 103(a) rejection of claims 5 and 6 be withdrawn and those claims passed to issue.
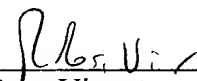
VII.   Conclusion

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to pass this application to issue.

Applicants believe that a fee of $282.00 is due with this response. However, if any additional fees are due, please charge our Deposit Account No. 06-2380, under Order No. 61135/P000C2CP1C1/10106029 from which the undersigned is authorized to draw.

Dated: July 16, 2004   Respectfully submitted,

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